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FACSIMILE TRANSMITTAL SHEET

TO: Examiner Nghia M. Doan
Group Art Unit: 2825
Confirmation No.: 7285
Serial No.: 10/665,451
Attorney Docket No.: 2003.0165/1280.00680
In re: Wen-Chuan Wang

FIRM/COMPANY: U.S. Patent and Trademark Office

FACSIMILE NUMBER: 571-273-8300

**CONFIRMATION
TELEPHONE:** 571-272-5973

FROM: Steven E. Koffis

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MESSAGE:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/665,451

Confirmation No.: 7285

In re application of: Wen-Chuan Wang

Filed: September 19, 2003

Technology Center/Art Unit: 2825

Examiner: DOAN, NGHIA M

Docket No.: 2003.0165/1280.00680

Customer No.: 54657

Title: SYSTEM AND METHOD FOR
EXAMINING MASK PATTERN FIDELITYI CERTIFY THAT THIS COMMUNICATION IS BEING
FILED ELECTRONICALLY IN THE U.S. PATENT AND
TRADEMARK OFFICE ON:

7/19/06

Darlene DiPatroMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Restriction Requirement dated June 20, 2006. The Examiner requires an election between Group I, Claims 1-11, drawn to mask fidelity inspection methods and systems for making fidelity inspection; Group II, Claims 12-17, drawn to mask fidelity inspection methods and systems for making fidelity inspection; or Group III, drawn to mask fidelity inspection methods and systems for making fidelity inspection.

Applicants hereby provisionally elect Group I, Claims 1-12. This election is made with traverse.

DM2/732407.1

Appl. No. 10/665,451
Amdt. dated July 19, 2006
Reply to Office action of June 20, 2006

The Action alleged that Claims 1-11, 12-17 and 18-22 are different species of the claimed invention because Claims 1-11 select an OPC model applied to make a mask through an actual mask making process, Claims 12-17 include OPC models which are unusable under a set of predetermined mask making process condition, and Claims 18-22 have variables specifically control in the mask making process that are different than others. Indeed, none of these claims recite the features alleged by this Action. Applicants submit that this Action mischaracterized features of these claims upon which this election requirement was made, and will make it difficult to determine the species on which any added claims read during prosecution. Further, Claims 1-11 are directed to embodiments shown in FIG. 1, Claims 12-17 are directed to embodiments shown in FIG. 2 and Claims 18-22 are directed to embodiments shown in FIG. 3. Therefore, a more clear and accurate definition of the species would be to identify species 1 as FIG. 1, species 2 as FIG. 2, and Species 3 as FIG. 3. Applicant requests that the restriction requirement be reissued with more meaningful species definitions, so that Applicant can provide a correct list of which claims read on the elected species throughout the prosecution.

Respectfully submitted,

Dated: July 19, 2006

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